

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

For: METHODS AND APPRATUS FOR
SECURING MEDICAL
INSTRUMENTS TO DESIRED
LOCATIONS IN A PATIENT'S BODY

Serial No.: 10/004,987

Filed: December 4, 2001

Atty. Docket No.: 9619.1012

Examiner: P. L. Wingood

Group Art Unit: 3738

confirmation No.: 1820

Customer No.: 23422

**REQUEST FOR CONTINUED
EXAMINATION UNDER 37 CFR §1.114**

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that these papers are being deposited with the U.S. Postal Service as first class mail with sufficient postage addressed to BOX RCE, Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, on 12/6/02 in San Francisco, CA.

By: [Signature]

BOX RCE
Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

RECEIVED
DEC 13 2002
TECHNOLOGY CENTER R3700

Dear Sir:

This is a request for continued examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

iii. ☐ Other: _____.

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

- iii. ☒ Information Disclosure Statement
iv. ☒ Submission of Substitute Formal Drawings

2. **Filing Fees**

Basic Filing Fee Code 2801..... \$370

Total Fees Due \$370

3. **Payment of Fees**

☒ Enclosed is Check No. 62455 in the total amount of **\$370**.

☒ The Commissioner is hereby authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 CFR §1.16 and §1.17, to Deposit Account No. 13-0201, referencing Atty. Docket No. 9614.1012. A duplicate copy of this sheet is enclosed.

4. Address all future communications to:

Edward J. Lynch
COUDERT BROTHERS LLP
600 Beach Street, 3rd Floor
San Francisco, CA 94109-1312

5. **Other documents enclosed herewith:**

☒ Form PTO-1449;

☒ One sheet of formal drawings (Figures 9, 10) in triplicate;

☒ Two return receipt postcards.

☐ Other (Specify: _____).

Respectfully submitted,

By: Edward J. Lynch
Edward J. Lynch
Registration No. 24,422
Attorney for Applicant

Coudert Brothers LLP
600 Beach Street, 3rd Floor
San Francisco, CA 94109-1312
Facsimile: (415) 409-7400
Direct Dial: (415) 351-5708



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Burbank et al.

For: **MEHTODS AND APPARATUS FOR
SECURING MEDICAL INSTRUMENTS
TO DESIRED LOCATIONS IN A
PATIENT'S BODY**

) Examiner: P. L. Wingood

) Group Art Unit: 3738

) Customer No.: 23422

13/E

Serial No.: 10/004,987

Filed: December 4, 2001

Docket No.: 9619.1012

PRELIMINARY AMENDMENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail, postage prepaid addressed to BOX RCE, Commissioner for Patents, U.S. Patent and Trademark Office, Washington D.C. 20231, on 12/6/02, in San Francisco, CA.

By: [Signature]

BOX RCE
Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

Please amend the above application, as indicated below.

RECEIVED
DEC 13 2002
TECHNOLOGY CENTER R3700

IN THE CLAIMS

Please amend claim 53 to read as follows:

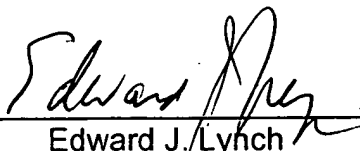
53. The medical device of claim 1, wherein said fixation element comprises at least one radially extendable and retractable member which is radially extendable and retractable from a side of the distal end of the shaft, said member having a free end and being configured for securing the distal end of the shaft adjacent target tissue.

REMARKS

Entry of the above amendment is respectfully requested. No new matter is

introduced by the amendment.

Respectfully submitted,

By: 
Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

Coudert Brothers LLP
600 Beach Street, 3rd Floor
San Francisco, CA 94109-1312
Facsimile: (415) 409-7400
Direct Dial: (415) 351-5708

MARKED UP VERSION SHOWING CHANGES

Please amend claim 53 to read as follows:

53. The medical device of claim [51]1, wherein said fixation element comprises at least one radially extendable and retractable member which is radially extendable and retractable from a side of the distal end of the shaft, said member having a free end and being configured for securing the distal end of the shaft adjacent target tissue.